

FILED

DEC 29 2009

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**EUGENE R. WEDOFF,
BANKRUPTCY JUDGE**

In re:

KDK, INC. D/B/A VIVO RESTAURANT

Debtor.

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Case No. 09 B 09893

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Chapter 11
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**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER AWARDING TO
QUERRY & HARROW, LTD., ATTORNEYS FOR THE DEBTOR, FOR ALLOWANCE AND PAYMENT
OF FINAL COMPENSATION AND REIMBURSEMENT OF EXPENSES**

TOTAL FEES REQUESTED: \$27,325.50

TOTAL FEES REDUCED: \$0.00

TOTAL FEES ALLOWED: \$27,325.50

TOTAL COSTS REQUESTED: \$373.20

TOTAL COSTS REDUCED: \$107.10

TOTAL COSTS ALLOWED: \$266.10

TOTAL FEES AND COSTS ALLOWED: \$27,591.60

THE COURT HAS MARKED THE ATTACHED TIME AND EXPENSE ENTRIES THAT HAVE BEEN
DISALLOWED IN WHOLE OR IN PART. THE BASIS FOR EACH DISALLOWANCE IS DISCLOSED BY THE
NUMERICAL NOTATION THAT APPEARS ON THE LEFT SIDE OF EACH HIGHLIGHTED ENTRY. THE
NUMERICAL NOTATIONS REFER TO THE ENUMERATED PARAGRAPHS BELOW.

(1) Reimbursement Limited to Actual, Necessary Expenses

The Court denies the allowance of reimbursement for expenses that were not actually and necessarily incurred by the applicant. *See* 11 U.S.C. §§ 330(a)(1)(B) & 331. The fee application fails to demonstrate that the requested expenses for photocopies or facsimiles (or both) were actual out-of-pocket disbursements and that the quoted rates were necessary in light of prevailing (and lower) commercial rates. In the absence of such proof, the Court will allow reimbursement of photocopy expenses at a rate of \$.10 per page in accordance with prevailing commercial rates and will not allow expenses for facsimiles.

Dated: December 29, 2009



Eugene R. Wedoff
United States Bankruptcy Judge

Querrey & Harrow

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312-540-7000

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Tax I.D. No. 36-2777440

Please provide invoice number on remittance check

RE: KDK, Inc. Chapter 11 Bankruptcy

MATTER NUMBER - 39937

FEES SUMMARY BY TIMEKEEPER

Name (Initials)	Hours	Rates	Total
Kathryn C. Sheldon (KCS)	.30	85.00	25.50
	45.60		14,689.00

TOTAL HOURS 90.10

Total Fees 27,325.50

TASK COSTS

8/26/09	Chase Card Courts/USBC	08/26/09	26.00
9/10/09	Chase Card Courts/USBC	09/10/09	26.00

SUB TOTAL COST 52.00

Costs

10 cents/page

COST 8/21/09 1ST Photocopying Expense, Qty: 264 Copies @ *.15* Per Copy for plan, disclosure statement and ballot package

(1)

~~39.60~~

\$ 26.40

~~281.70~~

COST 8/27/09 1ST Photocopying Expense, Qty: 1878 Copies @ *.15* Per Copy for plan, disclosure statement and ballot package

\$ 187.80

SUB TOTAL COST 321.30

TOTAL COSTS 373.30